



Incorporated July 1, 2000
Website: www.elkgrovecity.org

Daniel Briggs, Mayor

Jim Cooper, Mayor Pro Tem
Sophia Scherman, Councilmember

Michael Leary, Councilmember
Rick Soares, Councilmember

REGULAR MEETING OF THE CITY COUNCIL
Wednesday, February 2, 2005
6:30 P.M.

Elk Grove City Hall
8400 Laguna Palms Way, CA 95758
City Council Chambers

The Elk Grove City Council welcomes, appreciates, and encourages participation in the City Council Meeting. The City Council reserves the right to reasonably limit the total time for public comment on any particular noticed agenda item as it may deem necessary. If you wish to address the Council during the meeting, please complete a Speaker Card and give it to the City Clerk prior to the start of the meeting.

AGENDA

1. CALL TO ORDER/ROLL CALL

1.1 Roll Call

1.2 Pledge of Allegiance (led by Boy Scout Troop 59)

2. APPROVAL OF AGENDA

3. PRESENTATIONS/ANNOUNCEMENTS

3.1 Creating World-Class Parks in Laguna Ridge - Presentation by The HLA Group (View presentation item [1](#), [2](#), [3](#), & [4](#))

3.2 Preserving Swainson's Hawk Habitat

4. PUBLIC COMMENT

Members of the audience may comment on matters that are not included on the agenda. Each person will be allowed three minutes, or less if a large number of requests are received on a particular subject. No action may be taken on a matter raised under "Public Comment" until the matter has been specifically included on an agenda as an action item. If a member of the public wants a response to a specific question, they are encouraged to contact any member of the Council or the City Manager at any time.

5. CONSENT CALENDAR ITEMS

The Consent Calendar items are ones expected to be routine and non-controversial. They will be acted upon by the City Council after providing an opportunity for public comment.

PUBLIC COMMENT

5.1 Approve Warrant Listing through January 11, 2005 (Warrants 011139 through 011362) [p. 1-24]

5.2 Approve Monthly Treasurer's Report for December 2004 [p. 1-6]

5.3 Approve Minutes of the December 15, 2004 Regular City Council Meeting [p. 1-16]

5.4 Adopt [Ordinance No. 4-2005](#), an ordinance of the City Council of the City of Elk Grove amending Chapter 16.95 of the Elk Grove Municipal Code relating to Development Impact Fees for Roadway Facilities (**Second Reading**) [p.1-2]

5.5 Support the retention of Beale Air Force Base (AFB) ([Resolution](#)) [p. 1-6]

- 5.6 Adopt the Initial Study/Mitigated Negative Declaration, adopt the Mitigation Monitoring Reporting Program and approve the Bond Road/Grant Line Road Intersection Improvement Project ([Resolution](#)) [p. 1-148]
- 5.7 Authorize the City Manager or his designee to execute an agreement with Barnes & Thornburg LLP for Federal Lobbying Representation ([Resolution](#)) [p. 1-10]
- 5.8 Authorize the City Engineer to call for bids for the Construction of the Old Town Elk Grove Improvement Project ([Resolution](#)) [p. 1-4]
(Bid Date March 4, 2005)
- 5.9 Authorize the City Manager or his designee to execute an agreement with Animal Care Consultants, Inc. to assist in contract negotiations and preparation of consulting related animal care and shelter services with the SPCA [p. 1-24]
- 5.10 Authorize the City Manager or his designee to execute an agreement with Jones Hall, a Professional Law Corporation for disclosure counsel services related to the issuance of bonds for the East Franklin Community Facilities District No. 2002-1, Community Facilities District No. 2003-1 (Poppy Ridge), and the Laguna Ridge Community Facilities District No. 2005-1 ([Resolution](#)) [p. 1-24]

6. **PUBLIC HEARINGS**

- 6.1 **SUBJECT:** Continued Public Hearing: Taron Shell Project No. EG-04-750: to consider a Public Convenience and Necessity Letter (PCN) to allow a Type 20 Off-Sale (beer and wine) alcohol license [p. 1-16]
Location: 9616 West Taron

STAFF REPORT: Christine Crawford, Development Services
Brian Leveille, Project Planner

PUBLIC COMMENT:

RECOMMENDATION: At the conclusion of the public hearing, consider staff's recommendation to adopt a resolution approving the request for a Public Convenience and Necessity Letter for a Type 20 Off-Sale (beer and wine) alcohol license for Taron Shell Project No. EG-04-750

COUNCIL ACTION:

- 6.2 **SUBJECT:** Public Hearing: Valero Gas & Mini Mart Project No. EG-04-769: to consider a Public Convenience and Necessity Letter (PCN) to allow a Type 21 (Off-Sale General) alcohol license to allow the sale of beer, wine and distilled spirits [p. 1-20]
Location: 9603 East Stockton Boulevard

STAFF REPORT: Christine Crawford, Development Services
Brian Leveille, Project Planner

PUBLIC COMMENT:

RECOMMENDATION: Adopt a [resolution](#) denying the application for a Public Convenience and Necessity Letter to allow a Type 21 (Off-Sale General) alcohol license for Valero Gas & Mini Mart Project No. EG-04-769

COUNCIL ACTION:

7. **REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS**

- 7.1 **SUBJECT:** Authorize the City to join the Sacramento Metropolitan Air Quality Management District (SMAQMD) when it revises its proposed board membership structure to include population thresholds and appoint a representative to the SMAQMD Board of Directors [p. 1-10]

STAFF REPORT: Cody Tubbs, Director of Communications

PUBLIC COMMENT:

RECOMMENDATION: Staff recommends that the City Council adopt a [resolution](#) authorizing the City to join the SMAQMD once its Board revises the proposed board membership structure to include population thresholds and recommends that the City Council appoint one of its members as representative to serve on the SMAQMD Board when and if the proposed membership structure is revised to include population thresholds

COUNCIL ACTION:

- 7.2 **SUBJECT:** Donation to the American Red Cross for the tsunami disaster relief effort [p. 1-2]

STAFF REPORT: John Danielson, City Manager

PUBLIC COMMENT:

RECOMMENDATION: Discuss and provide direction to staff on making a donation to the American Red Cross in support of the tsunami relief effort

COUNCIL ACTION:

- 7.3 **SUBJECT:** Appointment to the Disability Advisory Committee [p. 1-2]

STAFF REPORT: John Danielson, City Manager

PUBLIC COMMENT:

RECOMMENDATION: Recognize Councilmember Leary's appointment to the Disability Advisory Committee

COUNCIL ACTION:

7.4 SUBJECT: Appointment to the Elk Grove Committee for the Arts [p. 1-2]

STAFF REPORT: John Danielson, City Manager

PUBLIC COMMENT:

RECOMMENDATION: Recognize Mayor Pro Tem Cooper's appointment to the Elk Grove Committee for the Arts

COUNCIL ACTION:

8. GENERAL ADMINISTRATION INFORMATION

A) Transit Services Update

B) Designate Council Delegation for Washington, DC Lobbying Trip

9. COUNCIL COMMENTS/FUTURE AGENDA ITEMS

10. CLOSED SESSION

PUBLIC COMMENT:

Once the closed session has ended, the regular City Council meeting will be reconvened in open session. The Mayor or presiding officer will then make any announcements required by the Brown Act relative to reportable actions taken during the closed session.

A) CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation

Pursuant to GC Section 54956.9 (b)
One (1) Potential Case

B) EXISTING LITIGATION

Pursuant to GC 54596.9(a)
Two (2) cases

1. KALWANI v. CITY OF ELK GROVE, ET AL., Sacramento Superior Court Case No. 04CS00177
2. THE POCKET PROTECTORS v. CITY OF SACRAMENTO, Cal. Supreme Court Case No. S130830

11. ADJOURNMENT

NOTICE REGARDING CHALLENGES TO DECISIONS

Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk Peggy Jackson at (916) 683-7111. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Elk Grove City Council
Regular Meeting, WEDNESDAY, February 2, 2005

I, **Micki De La Fuente**, declare under the penalty of perjury that the foregoing agenda for the February 2, 2005 Regular meeting of the Elk Grove City Council was posted on _____, 2005, at the office of the City of Elk Grove City Hall at 8400 Laguna Palms Way, Elk Grove, CA 95758 and was available for public review at that location.

Signed this _____ day of _____ 2005 at Elk Grove, California

**Micki De La Fuente, Administrative Assistant
to the Office of the City Clerk
City of Elk Grove**